

REMARKS

Claims 9, 10, 12, and 27-29 are pending in the application. Applicant respectfully requests reconsideration of this application.

Claim Changes

Claim 9 is amended to more clearly recite the claimed invention. Support for the changes can be found at least in FIG. 10 and the description on page 11, lines 7-26. Thus, no new matter is added.

No amendment made is related to the statutory requirements of patentability unless expressly stated herein. No amendment is made for the purpose of narrowing the scope of any claim, unless Applicant had argued herein that such amendment is made to distinguish over a particular reference or combination of references. Any remarks made herein with respect to a given claim or amendment is intended only in the context of that specific claim or amendment, and should not be applied to other claims, amendments, or aspects of Applicant's invention.

Objection to the Claims

The Office Action dated December 22, 2008 states in item 7 on page 3 that "Claim 9 is objected to because of informalities: Claim 9 recites 'said first authorization message' in line 13 of the claim. It is noted that this appears to be intended to refer to the 'authorization message' of line 6...." In response to the objection to claim 9 for informalities, Applicant has amended claim 9 by changing "first authorization message" to "authorization message" for clarity as requested. Accordingly, Applicant requests withdrawal of the objection to claim 9.

Rejection of claims 9, 10, 12, and 27-19 under 35 U.S.C. § 112, second paragraph

The Office Action dated December 22, 2008 states in item 10 on page 4 that "Claim 9 recites the limitation 'said set top box' in lines 8-9, 10-11, and 12, and 'the set top box' in lines 17-18. However, the claim also recites both 'a set top box' in lines 3-4 and 'a plurality of separate set top boxes' in line 7. Because there are multiple set top boxes referred to, it is not clear to which of the set top boxes the limitation 'said set top box' is intended to refer. This renders the claim indefinite." Applicant respectfully traverses the rejection. Applicant submits that there is proper antecedent basis in claim 9 to support that "said set top box" in lines 8-9, 10-

11, and 12 and “the set top box” in lines 17-18 is same as “a set top box” in lines 3-4 of claim 9. Accordingly, it is clear that the term “said set top box” refers to the set box which receives the rights message. Thus, claim 9 is not indefinite. Accordingly, Applicant requests withdrawal of rejection of claim 9 under 35 U.S.C. § 112, second paragraph.

Claims 10, 12, and 27-29 depend from and include all limitations of independent claim 9. Therefore, Applicant respectfully requests reconsideration of dependent claims 10, 12, and 27-29 and requests the withdrawal of the rejection.

Rejection of claims 9, 10, 12, and 27-29 under 35 U.S.C. § 102(e) as being anticipated by US 6,256,393 (Safadi)

Applicant has amended the claims to clarify the invention. Applicant therefore respectfully requests reconsideration of the rejection of claims 9, 10, 12, and 27-29, as herein amended, under 35 U.S.C. § 102(e) as being anticipated by Safadi.

Applicant has amended independent claim 9 to clarify the claimed invention. In particular, independent claim 9 has been amended to recite “matching object identifiers in the authorization message with the object identifiers in the separately received software object; forming a signatory group using the authorization message and the separately received software object; calculating a signature over the signatory group; comparing the signature with a received signature” and “blocking access to the separately received software object by the set top box as a function of determining whether the set top box is authorized to access the separately received software object, matching object identifiers in the authorization message and the separately received software object, and comparing the signature with a received signature.”

Applicant respectfully submits that Safadi does not anticipate, either expressly or inherently, each and every element as set forth in independent claim 9, as amended. For example, independent claim 9 recites “matching object identifiers in the authorization message with the object identifiers in the separately received software object; forming a signatory group using the authorization message and the separately received software object; calculating a signature over the signatory group; comparing the signature with a received signature” and “blocking access to the separately received software object by the set top box as a function of determining whether the set top box is authorized to access the separately received software object, matching object identifiers in the authorization message and the separately received

software object, and comparing the signature with a received signature" (emphasis added), which is not anticipated either expressly or inherently, in Safadi.

Safadi is directed to a method for providing authentication, authorization and access control of software object residing in digital set-top terminals. See Safadi, Abstract. Firstly, the Office Action dated December 22, 2009 appears to equate Applicant's "rights message" with Safadi's "EMM." See Office Action item 12 on page 5. Applicant submits that the rights message of the present application should not be equated to Safadi's EMM. In Safadi, the EMM delivers the entitlement purchased by or granted to the consumer. Therefore, EMM is more like a key to open the lock of the access requirements. See Safadi, col. 3, lines 27-32 and 40-44. Secondly, the Office Action appears to equate Applicant's "authorization message" with Safadi's "ECS." See Office Action item 12 on page 6. Applicant submits that the authorization message of the present application should not be equated to Safadi's ECS. The ECS contains access requirements for the object and the associated resources; therefore, the ECS is more like a lock of the access requirements. See Safadi, col. 3, lines 27-32, and col. 5, lines 40-44.

It is true that Safadi describes checking the authorization rights (defined by EMM) with the authorization requirements (defined by ECS) to determine if an object can be downloaded or utilized. See Safadi, col. 7, lines 19-25. However, in Safadi there is no description about forming a signatory group wherein the signatory group comprises the authorization message and the separately received software object and calculating a signature over the entire signatory group. Additionally, Safadi fails to describe blocking access to the separately received software object as a function of determining whether the set top box is authorized to access the separately received software object, matching object identifiers in the authorization message and the separately received software object, and comparing the signature with a received signature.

In view of the foregoing, Applicant respectfully submits that Safadi does not disclose all the claim limitations recited in independent claim 9. Applicant therefore submits that independent claim 9 is not anticipated by Safadi, and therefore the rejection of independent claim 9 under 35 USC 102(e) should be withdrawn. Applicant requests that independent claim 9 may now be passed to allowance.

Dependent claims 10, 12, and 27-19 depend from, and include all the limitations of independent claim 9. Therefore, Applicant respectfully requests reconsideration of dependent claims 10, 12, and 27-19 and requests the withdrawal of the rejection.

Conclusion

Applicant submits that Applicant's claimed invention is patentably distinct and nonobvious over each reference taken alone or in combination. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or suggestions, the Examiner is invited to contact the Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

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